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15 *Attorneys for Defendant Zuffa, LLC, d/b/a*
Ultimate Fighting Championship and UFC
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17 **UNITED STATES DISTRICT COURT**

18 **DISTRICT OF NEVADA**

19 Cung Le, Nathan Quarry, Jon Fitch, Brandon
20 Vera, Luis Javier Vazquez, and Kyle Kingsbury,
on behalf of themselves and all others similarly
21 situated,

22 Plaintiffs,

23 v.

24 Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

25
26 Defendant
27
28

No.: 2:15-cv-01045-RFB-(PAL)

**DECLARATION OF NICHOLAS A.
WIDNELL IN SUPPORT OF THE
PARTIES' JOINT AGREED
MOTION FOR LEAVE TO FILE
DAUBERT MOTION BRIEFING
MATERIALS IN EXCESS OF PAGE
LIMITS IMPOSED BY LOCAL RULE
7-3**

1 I, Nicholas A. Widnell, declare as follows:

2 1. I am a member in good standing of the bar of the District of Columbia. I am
3 admitted *pro hac vice* to practice before this Court. I am a Partner in the law firm Boies Schiller
4 Flexner LLP (“BSF”), counsel for Zuffa, LLC (“Zuffa”) in the above captioned action in the U.S.
5 District Court for the District of Nevada, *Le et al. v. Zuffa, LLC*, No. 2:15-cv-01045-RFP-PAL.

6 2. I make this declaration in support of the Parties’ Joint Agreed Motion for Leave to
7 File *Daubert* Motion Briefing Materials in Excess of Page Limits Imposed By Local Rule 7-3.

8 3. Based on my review of the files, records, and communications in this case, I have
9 personal knowledge of the facts set forth in this Declaration and, if called to testify, could and would
10 testify competently to those facts under oath.

11 4. Counsel for Zuffa met and conferred with counsel for Plaintiffs regarding modifying
12 the page limits related to Zuffa’s *Daubert* briefing. The parties reached an agreement regarding
13 modification of the page limits as specified in District of Nevada Local Rule 7-3(b).

14 5. The parties request that the Court permit Zuffa to file *Daubert* motions seeking to
15 exclude the testimony of three of Plaintiffs’ experts of up to 72 pages in length in the aggregate with
16 those pages allocated between the motions at Zuffa’s discretion, permit Plaintiffs to file responses to
17 those motion of up to 72 pages in length in the aggregate with those pages allocated between
18 Plaintiffs’ responses at their discretion, and permit Zuffa to file a single reply brief in support of its
19 *Daubert* motions of up to 30 pages in length in the aggregate with those pages allocated between the
20 three motions at Zuffa’s discretion.

21 6. This case was filed in December 2015. Since that time, the parties have engaged in
22 extensive fact and expert discovery, involving several million documents, more than 50 depositions,
23 and have filed more than nine-hundred pages of expert reports.

24 7. Excluding exhibits, resumes, errata and appendices, Plaintiffs’ opening expert reports
25 for its three expert reports totaled 316 pages.

26 8. Excluding exhibits, resumes, errata and appendices, Zuffa’s opposition expert reports
27 for its five expert reports totaled 255 pages.

28 9. Excluding exhibits, resumes, errata and appendices, Plaintiffs’ rebuttal expert reports

1 for its four expert reports totaled 284 pages.

2 10. In total, the parties have exchanged 855 pages of opening, opposition, and rebuttal
3 expert reports.

4 11. The parties have deposed each of the other side's experts.

5 12. The expert methodologies that are the subject of *Daubert* motions involve regression
6 analysis and economic theory.

7
8 I declare under penalty of perjury under the laws of the United States of America that the
9 foregoing facts are true and correct. Executed this 14th day of February, 2018 in Washington, D.C.

10
11 /s/ Nicholas A. Widnell

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